

BOOK 333

88494743

WHEREAS, by the Declaration of Condominium Ownership recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 88148707, (the "Declaration"), and by the First Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 8827581 on June 24, 1988, and by the Third Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, Illinois, as Document No. 8834461 on August 2, 1988, and by the Fourth Amendment to said Declaration, recorded in the Office of the Recorder of Deeds of Cook County, as Document No. 88470858 on October 13, 1988, STANDARD BANK, as Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually, submitted certain real estate to the Condominium Property Act of the State of Illinois (the "Act"), said Condominium being known as WESTBERRY VILLAGE UNIT NO. 3, a condominium; and

W I T N E S S E T H :

THIS DECLARATION made and entered into by STANDARD BANK, Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually (the "Trustee"):

DECLARATION OF CONDOMINIUM OWNERSHIP
AND OF EASEMENTS, RESTRICTIONS, AND
COVENANTS FOR WESTBERRY VILLAGE, UNIT NO. 3,
A CONDOMINIUM

FIFTH AMENDMENT

TO

FILED WITH THIS DOCUMENT
10/27/88

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11-59-3692

V. STOUT
4211 N. 15TH
CHICAGO, IL 60653
TEL. 425-5240

Prepared By:

3500

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NOW THEREFORE, STANDARD BANK, as Trustee under Trust Agreement dated June 3, 1976, and known as Trust No. 4449, and not individually, as the legal title holder of the Additional Property

Units, as defined in the Declaration, building containing four units, making a total of four additional

WHEREAS, the additional property is now improved with one

said Declaration; and

which property is a portion of the Development Area described in

COMMON ADDRESS: 8410-12 Westberry Lane
8414-16 Westberry Lane
Tinley Park, Illinois 60477
P.I.N.: 27-23-101-017, 23-23-101-022

Principal Meridian, in Cook County, Illinois

23, Township 36 North, Range 12, East of the Third

of part of the East 1/2 of the Northwest 1/4 of Section

Lot 36 in Westberry Village Unit No. 3, a Subdivision

(Additional Property);
to the Act as a part of the Condominium the following real property
so annex and add to said Parcel and Property, and thereby submits
is the Developer and beneficial owner of said Trust and wishes to
holder to the property to be annexed and HARTZ CONSTRUCTION COMPANY
dated June 3, 1976, and known as Trust No. 4449, is the legal title
WHEREAS, STANDARD BANK, as Trustee under Trust Agreement

and

described in the Declaration, and thereby add to the Condominium;

to annex and add certain real property to the Parcel and Property

the right is reserved in the developer, HARTZ CONSTRUCTION COMPANY,

WHEREAS, under Paragraph 1 of ARTICLE XIX of the Declaration,

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and HARTZ CONSTRUCTION COMPANY as the beneficial owner of said Trust, and for the purpose above set forth, hereby declares that the Declaration be and hereby is amended as follows:

1. The Additional Property is hereby annexed to the Parcel and Property as defined in Article I of the Declaration and is hereby submitted to the provisions of the Act as a part of the Condominium in accordance with, and shall be deemed to be governed in all respects by the terms and provisions of the Declaration. The Additional Land as now described is set forth herein as Exhibit "A"

2. The Plan attached to the Declaration as Exhibit "A" showing the boundaries of the Property and delineating and describing the Units contained therein, is hereby amended and supplemented by Exhibit "A" attached hereto showing the boundaries of the annexed Property and describing the additional Units contained in said annexed Property.

3. Exhibit "B" attached to the Declaration setting forth the percentages of the undivided interest in the common elements corresponding to each Unit described in Exhibit "A" prior to this Amendment are hereby reduced to the respective percentage interest in the Common elements as set forth in Exhibit "B" attached hereto. Exhibit "B" attached to the Declaration is amended by the substitution of Exhibit "B" attached hereto.

4. The additional common elements added to the Declaration by this Amendment, are hereby granted and conveyed to the respective grantees of Units heretofore conveyed, all as set forth in the Declaration.

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IN WITNESS WHEREOF, the said STANDARD BANK, as Trustee as aforesaid and not individually, and HARTZ CONSTRUCTION COMPANY have caused this instrument to be signed and sealed by its duly authorized officers on its behalf; and the Trustee, attorney-in-fac-

shall remain in full force and effect in accordance with its terms.

6. Except as expressly set forth herein, the Declaration will act only on the direction of the beneficiaries. hereto, anything to the contrary notwithstanding that the Trustee waived and released. It is understood and agreed by the parties or implied, all such personal liability, in any, being expressly of the said Trustee in this instrument contained, either expressed account of any representation, covenant, undertaking, or agreement under said Trust Agreement, on account of this instrument or on enforceable against the STANDARD BANK, or any of the beneficiaries responsibility is assumed by or shall at any time be asserted or upon it as such Trustee; and that no personal liability or personal its own rights, but solely in the exercise of the powers conferred this instrument is executed and delivered by said Trustee not in portion of the trust property specifically described herein and but are made and intended for the purpose of binding only that purpose or with the intention of binding said Trustee personally, covenants, undertakings, and agreements by the Trustee or for the every one of them made and intended not as personal representations, herein made on the part of the Trustee are nevertheless each and to be representations, covenants, undertakings, and agreements herein made on the part of the Trustee while in form purporting all of the representations, covenants, undertakings, and agreements the parties hereto to the contrary notwithstanding, that each and 5. It is expressly understood and agreed by and between

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Property of Cook County Clerk's Office

Linda Sobieski

[Handwritten signature]

ATTEST:

Marion Shallow

[Handwritten signature]

STANDARD BANK, as Trustee Under Trust Agreement dated June 3, 1976, known as Trust No. 449, and not individually

[Faint, illegible text]

as aforesaid, has set its hand and seal, all done in Cook County, Illinois, this 25th day of October, 1983.

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October

, 1988,

Given under my hand the notarial seal this 25th day of

and purposes therein set forth.

voluntary act of said Bank, as Trustee as aforesaid, for the uses

instrument as his own free and voluntary act and as the free and

seal of said Bank, did affix the corporate seal of said Bank to said

then and there acknowledged that he as custodian of the corporate

uses and purposes therein set forth; and the said Vice President

and voluntary act of said Bank, as Trustee as aforesaid, for the

the said instrument as their free and voluntary act and as the free

this day in person and acknowledged that they signed and delivered

President and Assistant Secretary respectively, appeared before me

Bank, who subscribed to the foregoing instrument as such Vice

and ^{Assistant} Linda Sobiski, Assistant Secretary of said

Newton Shallow ~~Assistant~~ Vice President of STANDARD BANK,

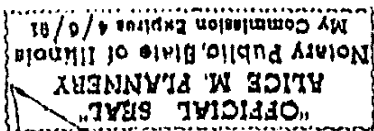
said County, in the State aforesaid, do hereby certify that

I, Beth Ross, a Notary Public in and for

STATE OF ILLINOIS)
COUNTY OF COOK)
SS

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[Signature]
Notary Public

1988, 1988

Given under my hand and notarial seal, this 14 day of
act of said Company, for the uses and purposes therein set forth.
ment as his own free and voluntary act and as the free and voluntary
Company, did affix the corporate seal of said Company to said instru-
there acknowledged that he as custodian of the corporate seal of said
and purposes therein set forth; and the said Vice President then and
act and as the free and voluntary act of said Company, for the uses
signed and delivered the said instrument as their free and voluntary
appeared before me this day in person and acknowledged that they
instrument as such President and Vice President, respectively,
Vice President of said Company, who subscribed to the foregoing
HARTZ, President of HARTZ CONSTRUCTION COMPANY, and EDWARD P. KENNEDY,
County, in the State aforesaid, do hereby certify that DONALD L.
I, Alice M. Flannery, a Notary Public in and for said

STATE OF ILLINOIS)
COUNTY OF COOK)
SS

[Signature]

ATTEST:

BY: *[Signature]*
HARTZ CONSTRUCTION COMPANY

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UNIT NO.	PERCENTAGE INTEREST
16055	4.0733
16054	3.9765
16053	4.1708
16050	4.1708
16045	3.9765
16044	3.9765
16041	4.1708
16040	4.1708
16035	4.1708
16034	4.1708
16031	4.1708
16030	4.1708
16025	4.0733
16024	3.9765
16021	4.2678
16020	4.1708
16015	4.2678
16014	4.2678
16011	4.2678
16010	4.2678
8416	4.2678
8414	4.2678
8412	4.2678
8410	4.2678

100.0000

EXHIBIT B
PERCENT INTEREST IN COMMON ELEMENTS
WESTBERRY VILLAGE UNIT NO. 3 CONDOMINIUM

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COOK COUNTY CLERK
FILED FOR RECORD

1988 OCT 27 AM 11:28

lots 37 through 51, inclusive, in Westberry Village, Unit No. 3,
a Subdivision of part of the East 1/2 of the Northeast 1/4 of
Section 21, Township 36 North, Range 12, East of the Third Principal
Meridian, in Cook County, Illinois.

ADDITIONAL LAND

EXHIBIT C

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